



COPY OF PAPERS
ORIGINALLY FILED

1604

Please type a plus sign (+) inside this box →

PTO/SB/21 (08-00)

Approved for use through 10/31/02. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

Application Number	10/079,709
Filing Date	February 19, 2002
First Named Inventor	Robert VAN GORCOM
Group Art Unit	1652
Examiner Name	To be assigned
	AUG 14 2002

RECEIVED

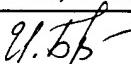
ENCLOSURES (check all that apply)

TECH CENTER 1600/2900

- | | | |
|--|--|---|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers
(for an Application) | <input type="checkbox"/> After Allowance Communication to Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment / Reply | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declarations | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Power of Attorney, Revocation
Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return postcard |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | |
| <input checked="" type="checkbox"/> Information Disclosure Statement;
PTO form 1449 | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Response to Missing Parts/
Incomplete Application | | |
| <input type="checkbox"/> Response to Missing Parts
under 37 CFR 1.52 or 1.53 | | |

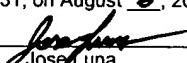
Remarks

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Irina E. Britva, Registration No. 50,498 Morrison & Foerster LLP 3811 Valley Centre Drive, Suite 500; San Diego, California 92130-2332
Signature	
Date	August 5, 2002

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on August 6, 2002


Jose Luna

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.



COPY OF PAPERS
ORIGINALLY FILED

PATENT
Docket No. 246152002603

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231, on August 6, 2002.


Jose Luna

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Robert VAN GORCOM, et al.

Serial No.: 10/079,709

Filing Date: February 19, 2002

For: CLONING AND EXPRESSION OF
MICROBIAL PHYTASE

Examiner: To be assigned

Group Art Unit: 1652

RECEIVED
AUG 14 2002
TECH CENTER 1600/29C

ii
**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97**

37 Assistant Commissioner for Patents
Washington, D.C. 20231

mad

(iii) t

enabl

Patent C
any requ

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents were previously submitted in an Information Disclosure Statement and/or Office Action, directed to the related application Serial Number 09/233,510, filed January 20, 1999, now issued as U.S. Patent No. 6,350,602, and, accordingly, copies are not included herewith. This protocol conforms with 37 C.F.R. §1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing 246152002603. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: August 5, 2002

Respectfully submitted,

By: I.B./S
Irina E. Britva
Registration No. 50,498

Morrison & Foerster LLP
3811 Valley Centre Drive
Suite 500
San Diego, California 92130-2332
Telephone: (858) 720-5175
Facsimile: (858) 720-5125

COPY OF PAPERS
ORIGINALLY FILEDPTO/SB/08 (2-92)
Sheet 1 of 2

AUG 12 2002

Form PTO-1449

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION
(Use several sheets if necessary)

Docket Number 246152002603	Application Number 10/079,709
Applicant	Robert VAN GORCOM, et al.
Filing Date February 19, 2002	Group Art Unit 1652
Mailing Date August 6, 2002	

RECEIVED

AUG 14 2002

TECH CENTER 1600

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	01/1967	3,297,548	Ware et al.	435	196	
	2.	07/1995	5,436,156	Van Gorcom et al.	435	252.3	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	3.	10/1988	0 287 152	EP			
	4.	06/1986	0 321 004	EP			

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	5.	Cosgrove. "Inositol Phosphate Phosphatases of Microbiological Origin. Inositol Phosphate Intermediates in the Dephosphorylation of the Hexaphosphates of Myo-Inositol, Scyllo-Inositol, and D-Chiro-Inositol by a Bacterial (Pseudomonas Sp.) Phytase" Aust. J. Biol. Sci. 23:1207-1220 (1970)
	6.	Graf, (Ed.) <u>Phytic Acid: Chemistry and Applications</u> Pilatus Press, Minneapolis, MN Chapter 2 pp.23-42 (1986)
	7.	Han. "Use of Microbial Phytase in Improving the Feed Quality of Soya Bean Meal" Animal Feed Sci. & Technology 24:345-350 (1989)
	8.	Mullaney et al. Filamentous Conference (April 1987) Pacific Grove, California (poster presentation) 15 pages total
	9.	Mullaney et al. "Positive Identification of a Lambda gt11 Clone Containing a Region of Fungal Phytase Gene by Immunoprobe and Sequence Verification" Appl. Microbiol. Biotechnol. 35:611-614 (1991)
	10.	Nayini et al. "The Phytase of Yeast" Lebensmittel Wissenschaft und Technologie 17:24-26 (1984)
	11.	Nelson et al. "Effect of Supplemental Phytase on the Utilization of Phytate Phosphorus by Chicks" J. Nutrition 101:1289-1294 (1971)
	12.	Powar et al. "Purification and Properties of Phytate-Specific Phosphatase from <i>Bacillus subtilis</i> " J. Bacteriol. 151:1102-1108 (1982)

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTO-1449

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION
(Use several sheets if necessary)

Docket Number 246152002603	Application Number 10/079,709
Applicant	Robert VAN GORCOM, et al.
Filing Date February 19, 2002	Group Art Unit 1652
Mailing Date August 6, 2002	

13.	Product Information Brochure published by Alko Ltd., entitled "Finase™ Enzymes by Alko" Rajamaki, Finland, 4 pages total (undated)
14.	Samson et al. Nature 318:191-194 (1985)
15.	Ullah. Enzyme and Engineering Conference IX, October 4-8, 1987 Santa Barbara, California (poster presentation) 2 pages total.
16.	Ullah et al. "Extracellular Phytase (E.C. 3.1.3.8) from Aspergillus Ficuum NRRL 3135: Purification and Characterization" Preparative Biochem. 17(1):63-91 (1987)
17.	Ullah "Aspergillus Ficuum Phytase: Partial Primary Structure, Substrate Selectivity, and Kinetic Characterization" Preparative Biochem. 18(4):459-471 (1988)
18.	Ullah. "Production, Rapid Purification and Catalytic Characterization of Extracellular Phytase from Aspergillus Ficuum" Preparative Biochem. 18(4):443-458 (1988)
19.	Yamada et al. "Phytase from Aspergillus terreus" Agr. Biol. Chem. 32(10):1275-1282 (1968)

COPY OF PAPERS
ORIGINALLY FILED

RECEIVED

AUG 14 2002

TECH CENTER 1600/2900

EXAMINER:	DATE CONSIDERED:
EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.	



Creation date: 09-24-2003
Indexing Officer: LANSAH - LUMUMBA ANSAH
Team: OIPEBackFileIndexing
Dossier: 10079709

Legal Date: 11-08-2002

No.	Doccode	Number of pages
1	XT/	1
2	LET.	1

Total number of pages: 2

Remarks:

Order of re-scan issued on